IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3748 OF 2006

Sampat Savlaram Katte ..Petitioner.
Vs.
The General Manager,
The BEST Undertaking & Ors. ..
Respondents.

...

Ms. N.P. Karnik for the Petitioner.

CORAM: DR. D.Y. CHANDRACHUD, J.

13th July, 2006.

P.C. :

The Petitioner who was a driver in the BEST undertaking was involved in an accident. The bus he was driving dashed against a lorry which was ahead of him, as a result of which injuries were sustained by the passengers. Despite these facts, the Labour Court came to the conclusion that an order of reinstatement was warranted having regard to the unblemished past record. The Petitioner had a service tenure of over 25 years at the relevant time. The order was confirmed in appeal, the appeals having been filed before the Industrial Court both by the Undertaking and by the Petitioner herein. The Petitioner is now aggrieved in so far as the

denial of back wages is concerned. The Labour Court has furnished cogent reasons for denying back wages. Since the BEST Undertaking has not challenged the order of reinstatement in these proceedings, no opinion need be expressed here on the order of reinstatement. However, the Petitioner cannot legitimately claim back wages having regard to the accident that was caused and the nature of the injuries that were sustained. No case for interference is made out. The Petition is dismissed.